

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FTX TRADING LTD., et al.,¹

Debtors.

Chapter 11

Case No. 22-11068 (JTD)

(Jointly Administered)

FTX TRADING LTD., WEST REALM SHIRES
SERVICES, INC., and ALAMEDA RESEARCH
LTD.,

Adv. Pro. No. 23-50759 (JTD)

Plaintiffs,

-against-

MIRANA CORP., BYBIT FINTECH LTD., TIME
RESEARCH LTD., SIN WEI “SEAN” TAN, WEI
LIN “GERMAINE” TAN, WEIZHENG YE, and
NASHON LOO SHUN LIANG,

Defendants.

DECLARATION OF ERIC DAUCHER

I, Eric Daucher, hereby declare and state pursuant to 28 U.S.C. § 1746:

1. I am a member of the law firm of Norton Rose Fulbright US LLP, attorneys for defendant Mirana Corp. (“Mirana”). I am fully familiar with the facts set forth herein. I submit this declaration in support of the motion filed by Mirana to dismiss the complaint in the above-captioned adversary proceeding.

¹ The last four digits of FTX Trading Ltd.’s and Alameda Research LLC’s tax identification number are 3288 and 4063, respectively. A list of Debtors and the last four digits of their tax identification numbers may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.ra.kroll.com/FTX>. The principal place of business of Debtor Emergent Fidelity Technologies Ltd is Unit 3B, Bryson’s Commercial Complex, Friars Hill Road, St. John’s, Antigua and Barbuda.

2. Attached hereto as Exhibit 1 are true and correct copies of screenshots captured on January 25, 2024, of the website <https://about.ftx.com> as archived by the Internet Archive Wayback Machine (<https://archive.org/web/>) as of November 1, 2022.

3. Attached hereto as Exhibit 2 are true and correct copies of screenshots captured on January 25, 2024, of the website <https://help.ftx.com/hc/en-us/articles/360024788391-FTX-Terms-of-Service> as archived by the Internet Archive Wayback Machine (<https://archive.org/web/>) as of October 6, 2022.

4. Attached hereto as Exhibit 3 are true and correct copies of screenshots captured on January 25, 2024, of the website <https://help.ftx.com/hc/en-us/articles/360042412652-Location-Restrictions-> as archived by the Internet Archive Wayback Machine (<https://archive.org/web/>) as of October 6, 2022.

5. Attached hereto as Exhibit 4 are true and correct copies of screenshots captured on January 25, 2024, of the website <https://help.ftx.com/hc/en-us/articles/360056976411-Jurisdiction-regulations-licensing-and-practices> as archived by the Internet Archive Wayback Machine (<https://archive.org/web/>) as of October 5, 2022.

6. Attached hereto as Exhibit 5 is a true and correct copy of the “FTX Terms of Service” dated May 13, 2022, as filed by Debtors in the above-captioned chapter 11 cases as Exhibit G to the Declaration of Edgar G. Mosley dated December 30, 2022 (D.I. 337-1).

7. Attached hereto as Exhibit 6 are true and correct copies of screenshots captured on January 25, 2024, of the website <https://help.ftx.com/hc/en-us/articles/360044358751-VIP-Program-and-Market-Maker-Policy> as archived by the Internet Archive Wayback Machine (<https://archive.org/web/>) as of August 17, 2022.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 6th day of February, 2024

/s/ Eric Daucher

Eric Daucher